

FACTUAL BASIS FOR PLEA

In conjunction with the submission of the accompanying Plea Agreement in this case, the United States of America submits the following statement setting forth the facts leading to the defendant Raphael Sanchez's acceptance of criminal responsibility for his violation of 18 U.S.C. Sections 1343 and 1028A. If this matter had proceeded to trial, the United States would have presented evidence that would have proven beyond a reasonable doubt the following facts:

The United States Immigration and Customs Enforcement's (ICE) Office of Principal Legal Advisor (OPLA) serves as the exclusive representative of the United States Department of Homeland Security (DHS) in immigration proceedings and provides legal services to ICE programs and offices on a range of issues, including customs, criminal, and immigration law enforcement authorities and ethics. At all relevant times, Raphael Sanchez served as Chief Counsel of the OPLA Office of Chief Counsel in Seattle, Washington, with responsibility over immigration proceedings in Alaska, Idaho, Oregon, and Washington.

As Chief Counsel, Raphael Sanchez was entrusted with the enforcement of immigration laws and the safeguarding of personally identifiable information belonging to aliens adjudicating their cases through various immigration proceedings. While entrusted with this responsibility from on or about October of 2013, through on or about October 25, 2017, Sanchez intentionally devised a scheme to defraud financial institutions, including American Express Company, Bank of America Corporation, Capital One Financial Corporation, Citibank, Discover Financial Services, and JPMorgan Chase & Co., using the names of aliens in various stages of immigration proceedings with ICE, including K.K, F.S., S.L., R.H., M.P., R.K., and N.Y. (collectively the

1 "Victim Aliens") to obtain money and property by means of materially false and fraudulent
2 pretenses, representations, and promises. For the purpose of executing this scheme, Chief Counsel
3 Sanchez transmitted or caused to be transmitted, writings, signals, and sounds by means of a wire,
4 radio, or television communication in interstate commerce. For his own personal gain, Sanchez
5 used personally identifiable information of Victim Aliens to open lines of credit and personal loans
6 in their names, manipulated their credit bureau files, transferred funds and purchased goods using
7 credit cards issued in their names. In furtherance of the scheme, Chief Counsel Sanchez used
8 credit monitoring services to track Victim Aliens' credit scores to ascertain which person had the
9 most available credit and wrote to credit bureaus in the names of Victim Aliens to change their
10 registered addresses to his home address, or to contest account closings.

13 In carrying out this scheme, Chief Counsel Sanchez obtained personally identifiable
14 information of Victim Aliens by using computer database systems utilized by ICE and by
15 accessing their official, hard-copy immigration Alien Files to forge identification documents on
16 his work computer, such as Social Security cards and Washington State Driver's Licenses in their
17 names. For male identities, Sanchez used his own photograph on the forged licenses. For female
18 identities, Sanchez used the photograph of a female murder victim published in a newspaper. Once
19 completed, Chief Counsel Sanchez used these forged identification documents to open credit card
20 and bank accounts in the names of Victim Aliens. Sanchez wrote his own home address in Seattle
21 as the Victim Aliens' addresses on account paperwork and, in some cases, created public utility
22 account statements in their names to provide the necessary proof of residence in order to open lines
23 of credit in their names or to conceal the scheme. Sanchez also manufactured a false earnings and
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1 leave statement in the name of K.K. in furtherance of the scheme, and opened e-mail and online
2 financial accounts in the names of Victim Aliens.

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4 Once the accounts were approved and opened, Sanchez made charges or drew payments in
5 the names of Victim Aliens to himself or entities that he controlled. Sanchez set up a corporation
6 named "Royal Weddings," had an Amazon Marketplace account, and used the trade names "Cool
7 and Quirky Classic Cars," "Cool and Quirky Cars," or "Integral USA." These entities served as
8 conduits to transfer fraudulent proceeds from accounts in the names of Victim Aliens to Sanchez's
9 personal accounts. Sanchez also used PayPal and mobile point of sale devices from Amazon,
10 Square, Venmo, and Coin to process fraudulent internet transactions.

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12 During and in relation to this scheme, Chief Counsel Sanchez knowingly transferred,
13 possessed, or used without lawful authority the means of identification of a real person, R.H., to
14 advance his wire fraud scheme. For example, a JP Morgan Chase account was opened in the name
15 of R.H. on or around July 5, 2016. Sanchez created a Gmail account in the name of R.H. and listed
16 it as the email address for this account along with Sanchez's home address and a mobile telephone
17 number registered to ICE DHS OPLA and assigned to Sanchez from at least October 2015 to
18 February 2017. On October 15, 2016, R.H. had a credit card charge of \$8,239.99 to PayPal user,
19 "QuirkyCoolC" and on October 22, 2016, R.H. had a credit card charge of \$493.19 to "Royal
20 Weddings." On October 24, 2016, R.H. had another charge to "QuirkyCoolC" for \$450. Sanchez
21 admits that all of these charges were made by him using R.H.'s name and setting up this account
22 resulted in a loss of over \$16,000 to JP Morgan Chase and adverse reporting on R.H.'s credit
23 bureau files. R.H., a Chinese national, was placed into immigration proceedings for abandonment
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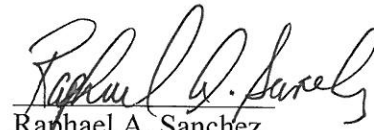
1 of residency status in June of 2015, and has never been to Seattle, Washington, which Sanchez
2 listed as R.H.'s address.

3 Like with R.H., Chief Counsel Sanchez continued this scheme of forging documents,
4 identifications, and creating fictitious e-mail accounts in an effort to open accounts and process
5 charges under the names of K.K, F.S., S.L., M.P., R.K., and N.Y. For each of these alien victims,
6 Chief Counsel Sanchez devised a scheme to defraud to obtain money and property by means of
7 materially false and fraudulent pretenses, representations and promises and transmitted or caused
8 to be transmitted, writings, signals, and sounds by means of a wire, radio, or television
9 communication in interstate commerce. Chief Counsel Sanchez used the personally identifiable
10 information of K.K, F.S., S.L., and N.Y to open lines of credit in their names, manipulated their
11 credit bureau files, transferred funds and purchased goods using credit cards issued in their names
12 for his own pecuniary gain. In a number of cases, Sanchez purchased goods online in the names
13 of Victim Aliens and had them shipped to his residence.

14 These individuals had official business with ICE and due to their status of being deported
15 or otherwise excludable were particularly susceptible to Sanchez's criminal conduct. Many of
16 those Victim Aliens located outside the country were not notified that balances were due and owing
17 in their name or that the debts incurred by Sanchez's scheme adversely affected their credit scores.
18 Chief Counsel Sanchez admits that the Victim Aliens were vulnerable due to their immigration
19 status. The losses attributed to the financial institutions, including American Express Company,
20 Bank of America Corporation, Capital One Financial Corporation, Citibank, Discover Financial
21 Services, and JPMorgan Chase & Co., in the names of Victim Aliens was approximately
22 \$190,345.63 for purposes of the Plea Agreement.

1 As part of the scheme to defraud, Chief Counsel Sanchez also claimed R.H., M.P., and
2 R.K. as relative dependents on his tax returns for 2014 through 2016. ICE has identified
3 approximately twenty additional potential individuals in various stages of immigration
4 proceedings with ICE whose personally identifiable information, including original Legal
5 Permanent Resident cards and official documents culled from immigration files, were in Sanchez's
6 possession at his residence.
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8 At trial, the government would have proven beyond a reasonable doubt that Raphael
9 Sanchez is guilty as charged in Counts One and Two of the Information by presenting admissible
10 physical and documentary evidence such as photographs, videos, recordings, e-mails, and
11 documents, as well as the testimony of federal agents and forensic examiners.
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15 Raphael A. Sanchez
16 Defendant
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